

CITY CLERK
GLOUCESTER, MA

City of Gloucester

City Council

10 APR 29 PM 12:33

CITY HALL • GLOUCESTER • MASSACHUSETTS • 01930
Telephone 508-281-9722 Fax 508-281-8472

CITY COUNCIL STANDING COMMITTEE

Ordinances & Administration

Monday, May 3, 2010 – 6:30 PM

Council Committee Room - First Floor

City Hall, 9 Dale Avenue

AGENDA

1. Unfinished Business:

- A) Order: CC2009-046 (Grow) Amend Sec. 17 of GCO re: Civil Service Ballot Measure & Procedure for Selection of Chief of Police (Cont'd from 02/22/10)
- B) Traffic Matters:
 - 1. CC2010-005 (McGeary) Amend GCO Sec. 22-287 re: one handicapped space in front of 12 Webster Street (Continued from 04/05/2010)
 - 2. CC2010-010 (Verga) Amend GCO Sec. 22-269 "Stop Intersections" and/or Sec., 22-269.1 Yield Intersections" re: Intersection of Hesperus Circle and Hesperus Avenue (Continued from 04/05/2010)
 - 3. CC2010-013 (Mulcahey) Amend GCO Sec. 22-269 "Stop Intersections" re: Intersection of Smith St. and Maplewood Avenue (Continued from 04/05/2010)
 - 4. CC2010-014 (Mulcahey) Amend GCO Sec. 22-269 "Stop Intersections" re: Intersection of Shepherd and Maplewood Avenues (Continued from 04/05/2010)
 - 5. CC2010-015 (Ciolino/Mulcahey) Amend GCO Sec. 22-290 "Parking meter zone-Off Street Parking areas" re: Manuel F. Lewis Road (Continued from 04/05/2010)
 - 6. CC2010-017 (Hardy) Amend GCO Sec. 22-291 "Tow-away zone" re: Hickory Street (Continued from 04/05/2010)
 - 7. CC2010-018 (Hardy) Amend GCO Sec. 22-291 "Tow-away zone" re: Sawyer Avenue (Continued from 04/05/2010)
- C) CC2010-011 (Hardy) Order that City Council review the current Council Rules of Procedure in order to bring them up to date (Continued from 04/05/2010)
- D) CC2010-012 (Hardy) Order in accordance with Sec. 2.7(a) of the City Charter that the City Council review reappointment of the City Clerk (Continued from 04/05/2010)
- E) CC2010-019 (Verga/Whynott) City Council to investigate the possibility and procedure to consolidate polling locations (Continued from 04/05/2010)

2. Reappointments:

Mary John Boylan	Affordable Housing Trust	TTE 02/14/2012*
Nancy E. Cooke	Affordable Housing Trust	TTE 02/14/2012*
Donald Fryklund	Capital Improvement Advisory Board	TTE 02/14/2013*
David Bell	City Hall Restoration Commission	TTE 02/14/2013
Jan Bell	City Hall Restoration Commission	TTE 02/14/2013
Steven Dexter	City Hall Restoration Commission	TTE 02/14/2013
Stephen Pardee	City Hall Restoration Commission	TTE 02/14/2013
Mary Rhinelanders-Carl	City Hall Restoration Commission	TTE 02/14/2013
Margaret Rosa	City Hall Restoration Commission	TTE 02/14/2013

William Sanborn, Building Inspector	City Hall Restoration Commission	TTE 02/14/2013
Mark Cole, Operations Manager-Public Properties	City Hall Restoration Commission	TTE 02/14/2013
Jill Buchanan	Clean Energy Commission	TTE 02/14/2012*
Michelle Dyer	Clean Energy Commission	TTE 02/14/2012*
Paul Shea	Historic District Commission	TTE 02/14/2013*
Russell Jacobs	Shellfish Advisory Commission	TTE 02/14/2013*
Lorre Anderson	Tourism Commission	TTE 02/14/2011
Debra Ryan	Tourism Commission	TTE 02/14/2013*
John Fleming	Trust Fund Commission	TTE 02/14/2013*
Peter Bent	Waterways Board	TTE 02/14/2013
Vito Calomo	Waterways Board	TTE 02/14/2013
Anthony Gross	Waterways Board	TTE 02/14/2013 <i>2011 deg</i>
Arthur "Sooky" Sawyer	Waterways Board	TTE 02/14/2013
Robert Stewart	Zoning Board of Appeals	TTE 02/14/2013

**Continued from 04/05/2010*

3. CC2010-022 Amend GCO Sec. 2-44 re: Listing Special Municipal Employees to add Boards and Commissions
4. CC2010-023 (Tobey) Amend GCO Sec. 22-289 re: Main Street Parking Meter Time Limits
5. CC2010-024 (Hardy) Request from the Engineering Department of the DPW a copy of the City's official "layout of the road" at the intersection of Washington Street, Holly Street, Goose Cove Lane and Vine Street
6. CC2010-025 (Hardy) Amend GCO Sec. 22-270.1 "Resident Parking Only" and Sec. 22-291 "Tow Away Zones" re: entire length of High Street as well as all side streets
7. CC2010-026 (Hardy) Adoption of Ordinance under GCO Chap. 2 Art. V, sec 2-400 re: Responsibilities of designated member of their Board, Commission or Committee
8. Memo from Chief Administrative Officer re: Debt Exclusion for all CSO Related Debt
9. Memo from Police Chief re: Amend GCO Sec. 1-15 to add Recycling Coordinator to the list of Enforcing Persons
10. Memo from Chief Administrative Officer re: Reclassification of Principal Assessor Position
11. Other Business

COMMITTEE

Councilor Sefatia Theken, Chair
 Councilor Ann Mulcahey, Vice Chair
 Councilor Bruce Tobey

Committee members – Please bring relevant documentation

Back-up and Supporting Documentation all on file at the City Clerk's Office, City Hall

CC: Mayor
 Jim Duggan
 Linda T. Lowe
 Suzanne Egan
 Chief Michael Lane

10 APR 29 PM 12:33
 GLOUCESTER, MA
 CITY CLERK

CITY COUNCIL STANDING COMMITTEE
Ordinances & Administration
Monday, May 3, 2010

All items listed under 1) Unfinished Business back up information was presented in previous agenda packets which can be found on the City website or on file in the City Clerk's Office.

CITY OF GLOUCESTER
TRAFFIC COMMISSION

A meeting will be held on Tuesday April 20, 2010 at 6:00 p.m.
at the third floor conference room at Gloucester City Hall

Please conduct your own site visits when convenient

Meeting opened at 6:00 p.m. by Chairman Robert Ryan. Also attending were members Larry Ingersoll, Anthony Bertolino and Michael Mulcahey. Also, City Councilors Jackie Hardy and Ann Mulcahey and many residents, approximately 25, among them Les Bartlett, Arthur Tucker, Roberta Seppala and John Geary of the Hickory Street/Sawyer Ave/High Street/Youngs Avenue area. A letter from resident Harry Romsey was also added to the record. Also Kathleen Esty and Peter Jenner (attending on other matters).

AGENDA

Order #CC2010-010 (Councilor Verga) Ordered that the GCO Sec 22-269 (Stop Intersections) and/or Sec 22-269.1 (Yield Intersections) be amended by ADDING:

Intersection of Hesperus Circle and Hesperus Avenue

*After a discussion, a MOTION was made, seconded and PASSED to APPROVE the order as a **STOP** intersection.*

Order #CC2010-013 (Councilor Mulcahey) Ordered that the GCO Sec 22-269 (Stop Intersections) be amended by ADDING:

Intersection of Smith Street and Maplewood Avenue

Order #CC2010-014 (Councilor Mulcahey) Ordered that the GCO Sec 22-269 (Stop Intersections) be amended by ADDING:

Intersection of Shepherd Street and Maplewood Avenue

After a discussion and speaking with the Councilors, a MOTION was made, seconded and PASSED to APPROVE the two orders as requested. (Separate votes were taken on each order).

Order # CC2010-015 (Councilors Ciolino & Mulcahey) Ordered that Sec 22-290 (Parking Meter Zone-Off Street Parking Areas) of the GCO be amended by ADDING:

That the meters on Manuel F. Lewis Street be designated for Senior Citizens' use from 9am to 3 pm Monday through Friday. Senior Citizens with Senior Beach Parking Stickers can park without feeding the meters on Manuel F. Lewis Road. Parking will be on a 'first come, first serve' basis.

After a discussion and speaking with a member of the Senior Center and City Councilors, a MOTION was made, seconded and PASSED to APPROVE the order. The signs should read GLOUCESTER SENIOR STICKER PARKING ONLY MON-FRI 9am to 3 pm. The TC is concerned with requests to eliminate the revenue from parking meters when the City Council is continuously asking for other areas to metered.

Order #CC2010-017 (Councilor Hardy) Ordered that the following City Ordinance be amended by DELETING:

Sec 22-291 (Tow Away Zone) Hickory Street both sides, beginning at a point 100 feet from its intersection with Sawyer Avenue for a distance of 260 feet in a southerly direction.

And ADDING:

Sec 22-291 (Tow Away Zone) Hickory Street, both sides, beginning at its intersection with High Street for its entire length in a southerly direction.

Order #2010-018 (Councilor Hardy) Ordered that Sec 22-291 (Tow Away Zones) of the GCO be amended by ADDING:

Sawyer Avenue, from its intersection with Hickory Street, both sides, for its entire length in a westerly direction.

*The discussion on these requests was held together. After speaking with numerous residents of the area and Councilor Hardy, a MOTION was made, seconded and PASSED to APPROVE the two orders with a **change** to make the restrictions seasonal. (Separate votes were done on each request) The TC suggested that the requests be amended to be seasonal (GCO 22-271 May 1 to September 15). As per the current seasonal restrictions. Neighbors of nearby streets which are not included in this request will possibly be requesting additional restrictions on their streets. The question of a resident sticker was brought up and at this time the TC is waiting to hear from city legal concerning this type of parking restriction. Signs should state NO PARKING MAY 1 TO SEPTEMBER 15 TOW AWAY ZONE*

The following was tabled at our last meeting:

Order #CC2010-005 (Councilor McGeary) Ordered that section 22-287 of the GCO be amended by:

ADDING: One handicapped space in front of 12 Webster Street

(February meeting) The requestor was not present to discuss this order. A MOTION was made, seconded and PASSED to TABLE the order until the requestor can be heard.

(April meeting) After speaking to the requestor, a MOTION was made, seconded and PASSED to APPROVE the order as requested. The sign should be placed as close to the address as possible.

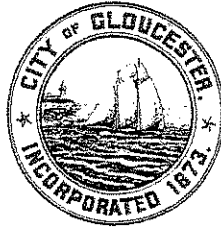
A short discussion was held concerning the Willow Rest area. The TC agreed that the city DPW and Engineering departments need to define the area road layout. After that is done, the TC will look at parking restrictions as requested by the City Council.

The meeting was adjourned at 7:28 p.m.

ROBERT RYAN, Chairman

LARRY INGERSOLL, Secretary

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

April 1, 2010

Ms. Lorre Anderson
The Black Swan
122 Main Street
Gloucester, MA 01930

Dear Lorre:

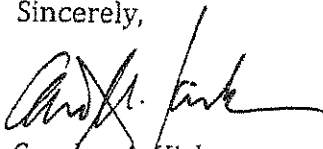
Thank you for your interest in serving on the **Tourism Commission**. I have issued you a 90-day temporary appointment to serve on this committee which will enable you to attend and vote at meetings. Please report to the City Clerk's office at your earliest convenience to pick up your appointment card (*copy enclosed*) and be sworn in.

Your appointment will be forwarded to the City Council for their April 13, 2010 meeting and will be referred out to the Ordinance and Administration subcommittee. You will be contacted by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require additional information, please do not hesitate to contact my office.

Again, thank you for agreeing to serve on the Tourism Commission. I truly appreciate the hard work and dedication you and your colleagues on this important committee offer on behalf of the City of Gloucester.

Sincerely,



Carolyn A. Kirk
Mayor

cc: Mayor's Report to the City Council
Peter Jenner, Chair-Tourism Commission

EFFECTIVE APRIL 1, 2010

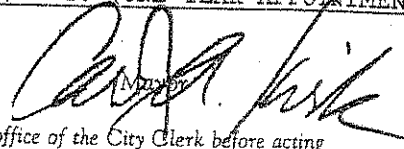
The City of Gloucester, Massachusetts

Dear Lorre Anderson, 122 Main Street, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you
to the TOURISM COMMISSION _____ of the City of
Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2011. (ONE YEAR APPOINTMENT)

Respectfully,



N.B. You are required to be sworn in at the office of the City Clerk before acting
under this appointment.

Sworn in _____ By: _____



Lorre Anderson
The Black Swan
122 Main Street
Gloucester, MA 01930
978-282-1399
Fax: 978-282-1393
Email: theblackswan@verizon.net

Mayor Carolyn Kirk
City of Gloucester
9 Dale Avenue
Gloucester, MA 01930

RECEIVED

MAR 31 2010

March 30, 2010

Mayor's Office

Dear Mayor Kirk,

I am writing to you to express my interest in serving on the City of Gloucester's Tourism Commission. I am a graduate of University of Pittsburgh, earning a Bachelor in Social Work and Lesley College, Master in Public Management. I moved to Gloucester in 1985 and worked for the Commonwealth of Massachusetts Department of Mental Health and then Department of Mental Retardation for twenty-three years. I developed and directed direct care programs and after graduate school, I joined the Information Technology Office finishing my career as a computer systems analyst. In this capacity I automated statewide business systems that were previously handled manually.

In 2003 I retired and my husband, David, and I opened *The Black Swan*, a specialty store on Main Street in Gloucester. For the past seven years, I have been active in the business community. I am a member of the Chamber of Commerce and currently serving of the Gloucester Division Steering Committee. In January, 2009 I organized the "Gloucester Downtown Group" with a membership of 64 businesses for the purpose of promoting business downtown. Through this experience I have become very interested in helping to increase tourism in Gloucester. I have met many people visiting Gloucester for the first time and their response is overwhelmingly positive. Over and over again they describe how friendly everyone is and what a unique community we have. I believe if we can reach out to people and encourage them to visit Gloucester, they will fall in love with our city as well. I would appreciate your consideration to serve on the Tourism Commission.

Sincerely,

Lorre Anderson

(Ord. No. 16-1993, § I, 12-14-93)

Secs. 2-460--2-470. Reserved.

DIVISION 6A. TOURISM COMMISSION*

***Editor's note--**Inasmuch as Ord. No. 21-1991, adopted June 18, 1991, did not specify manner of codification, inclusion herein as Division 6A, §§ 2-471--2-476, was at the editor's discretion.

Sec. 2-471. Purpose.

In recognition of the continuing need for tourism in the City of Gloucester as a means to encourage economic revitalization and the promotion of history, culture and recreation, a tourism commission is hereby recreated and reestablished.

It shall be the purpose of the tourism commission to encourage and promote tourism throughout the year and throughout the city. The commission shall undertake but not be limited to the following activities:

- (1) Recommend an overall coordinated tourism program that is related to the city's community and economic development activities, historical resources, recreational opportunities and natural and scenic attractions.
- (2) Recommend the organization, creation and maintenance of tourist attractions.
- (3) Recommend and implement an advertising program for the city.
- (4) Coordinate public and private efforts.

(Ord. No. 21-1991, 6-18-91)

Sec. 2-472. Tenure; composition.

The tourism commission shall consist of seven (7) members, all of whom shall be appointed by the mayor of the city for the terms listed below, and shall be confirmed by the Gloucester City Council.

- (1) One (1) member for one (1) year;
- (2) Three (3) members for two (2) years;
- (3) Three (3) members for three (3) years.

(Ord. No. 21-1991, 6-18-91; Ord. No. 18-1996, § J, 6-25-96)

Sec. 2-473. Requirements.

- (a) *Residency requirements.* All members shall be residents of the City of Gloucester.
- (b) *Membership requirement.* One (1) member of the commission shall be a member of the Cape Ann Chamber of Commerce.

(Ord. No. 21-1991, 6-18-91)

Sec. 2-474. Vacancies.

In case of resignation, death or disqualification of any member of the commission, or for the

purpose of filling a vacancy for any other reason, the appointment of the unexpired term immediately shall be made by the mayor and forwarded to the city council for their approval.

(Ord. No. 21-1991, 6-18-91)

Sec. 2-475. Assistance of city officials, boards and employees.

The commission shall receive regular support and assistance from the community development department. Such department may undertake planning, implementation and review responsibilities on behalf of the commission. Further, the commission may request the services and assistance of any of the officials, boards; and through the mayor, employees of the city at all reasonable times when the commission determines that it requires the assistance and advice of such officials, boards and employees in the performance of its duties.

(Ord. No. 21-1991, 6-18-91)

Sec. 2-476. Semi-annual reports.

The tourism commission shall submit semi-annually a report to the mayor and the city council of its activities.

(Ord. No. 21-1991, 6-18-91)

Secs. 2-477--2-490. Reserved.

DIVISION 7. DOWNTOWN DEVELOPMENT COMMISSION*

*Editor's note--Inasmuch as Ord. No. 28-1991, adopted July 7, 1991, did not specify manner of codification, inclusion herein as Division 7, §§ 2-491--2-495, was at the discretion of the editor.

Sec. 2-491. Purpose.

In recognition of the continuing need for preservation, revitalization and improvement of Gloucester's central business district and its environs, a downtown development commission is hereby recreated and reestablished.

(Ord. No. 28-1991, 7-7-91)

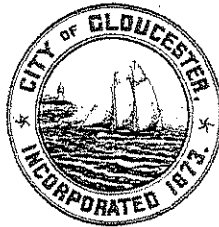
Sec. 2-492. Created; membership; terms.

(a) There is hereby recreated and reestablished in the City of Gloucester a commission to be known as the downtown development commission consisting of seven (7) members, all of whom shall be appointed by the mayor of the city and shall be confirmed by the Gloucester City Council. Upon the establishment of this commission the mayor shall appoint three (3) members for three (3) years; two (2) members for two (2) years; and two (2) members for one (1) year; and as each term expires the mayor in like manner shall appoint members to serve for three (3) years.

(b) In the case of resignation, death or disqualification of any member of the commission, or for the purpose of filling a vacancy for any other reason, the appointment for the unexpired term shall immediately be made by the mayor.

(Ord. No. 28-1991, 7-7-91)

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

March 16, 2010

Ms. Margaret Rosa
26 Fort Hill Avenue
Gloucester, MA 01930

Dear Maggie:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk
Mayor

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

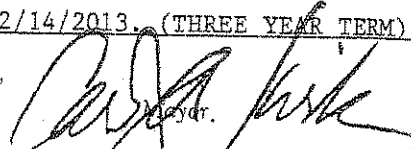
The City of Gloucester, Massachusetts

Dear Margaret Rosa, 26 Fort Hill Avenue, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you
to the CITY HALL RESTORATION COMMISSION _____ of the City of
Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

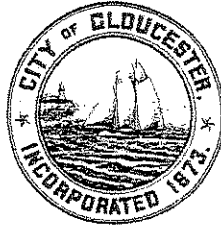
Respectfully,

A handwritten signature in dark ink, appearing to be "C. A. Kirk", written over the word "Mayor".

N.B. You are required to be sworn in at the office of the City Clerk before acting
under this appointment.

Sworn in _____ By: _____

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

March 16, 2010

Mr. Steven Dexter
162 Wheeler Street
Gloucester, MA 01930

Dear Steve:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk
Mayor

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

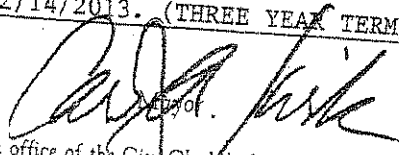
The City of Gloucester, Massachusetts

Dear Steven Dexter, 162 Wheeler Street, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you
to the CITY HALL RESTORATION COMMISSION _____ of the City of
Gloucester, Massachusetts

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

Respectfully,

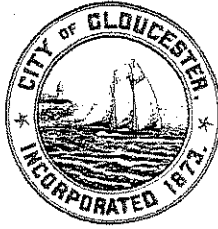


N.B. You are required to be sworn in at the office of the City Clerk before acting
under this appointment.

Sworn in _____

By: _____

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

March 16, 2010

Mr. David C. Bell
3 Banner Hill Way
Gloucester, MA 01930

Dear J.J.:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk
Mayor

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

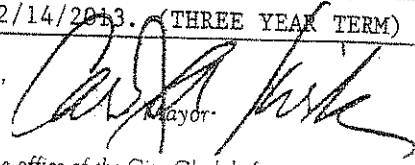
The City of Gloucester, Massachusetts

Dear David C. Bell, 3 Banner Hill Way, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you
to the CITY HALL RESTORATION COMMISSION _____ of the City of
Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

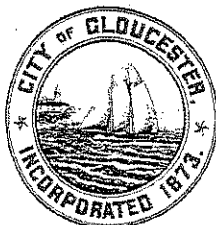
Respectfully,


Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting
under this appointment.

Sworn in _____ By: _____

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

March 16, 2010

Mr. Stephen Pardee
17 Holly Street
Gloucester, MA 01930

Dear Steve:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.


In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,


Carolyn A. Kirk
Mayor

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Stephen Pardee, 17 Holly Street, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you
to the CITY HALL RESTORATION COMMISSION _____ of the City of
Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

Respectfully,



N.B. You are required to be sworn in at the office of the City Clerk before acting
under this appointment.

Sworn in _____ By: _____

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

March 16, 2010

Mrs. Janis R. Bell
257 East Main Street
Gloucester, MA 01930

Dear Jan:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,


Carolyn A. Kirk
Mayor

Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

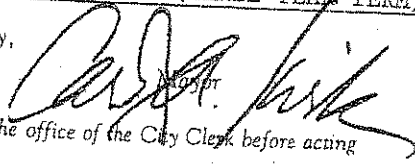
The City of Gloucester, Massachusetts

Dear Janis R. Bell, 257 East Main Street, Gloucester, MA

It is my pleasure to inform you that I have this day appointed you
to the CITY HALL RESTORATION COMMISSION _____ of the City of
Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

Respectfully,


Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting
under this appointment.

Sworn in _____ By: _____

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

March 16, 2010

Mrs. Mary Rhineland-McCarl
28 Old Nugent Farm Road
Gloucester, MA 01930

Dear Mary:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of March 30, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

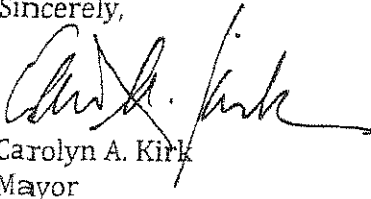
In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,



Carolyn A. Kirk
Mayor

En closure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

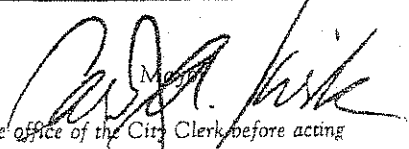
The City of Gloucester, Massachusetts

Dear Mary Rhinelander-McCarl, 28 Old Nugent Farm Road, Gloucester

It is my pleasure to inform you that I have this day appointed you
to the CITY HALL RESTORATION COMMISSION of the City of
Gloucester, Massachusetts

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

Respectfully,



N.B. You are required to be sworn in at the office of the City Clerk before acting
under this appointment.

Sworn in _____ By: _____

CITY HALL RESTORATION COMMISSION

Purpose

In recognition of the need to restore and preserve the Gloucester City Hall as the focal point of the city, and a cultural, historical and architectural asset of Gloucester, the City Hall Restoration Commission is hereby created and established.

Mission

The mission of the City Hall Restoration Commission to provide for /secure the stabilization, restoration and preservation of Gloucester City Hall.

Goals

The commission shall undertake, but not be limited to, the following activities:

- (1) Examine and evaluate with professional help the current condition of the building.
- (2) Establish and prioritize short and long term goals that may be achieved.
- (3) Coordinate public and private efforts to secure funds to accomplish these goals.
- (4) Oversee the restoration project as appropriate to ensure successful completion of the project.

Commission – establishment, terms, compensation, officers, and duties.

- (1) Establishment and Term: There is hereby created a commission to be known as the City Hall Restoration Commission, hereinafter called the "commission", which shall consist of ten (10) members, all of whom shall be appointed by the mayor and approved by the city council. The commission shall be selected with due care for providing an optimum mix of background and expertise required to fulfill the Purpose. Upon the establishment of the commission, the mayor shall appoint three (3) members to a term of one (1) year; three (3) to a term of two years and four (4) to a term of three (3) years. Thereafter, the mayor shall appoint each successor to a term of three (3) years. In the event of the death, resignation or removal of any member, a successor shall be appointed to serve for the un-expired term for which the member has been appointed.
- (2) Compensation: Members of the commission who are not city employees shall serve without compensation.
- (3) Chairperson: A chairperson shall be appointed by the mayor for a term of one year and may be reappointed. The chairperson shall decide all points of order and procedure, unless directed otherwise by a majority of the commission. The chairperson shall determine the chairperson(s) of the subcommittees, and shall be a member of all of the sub-committees. The chairperson may serve as secretary of the commission.
- (4) Vice-Chairperson: A vice-chairperson shall be appointed by the mayor for a term of one year and may be reappointed. The vice-chairperson shall serve as acting chairperson in the absence of the chairperson.
- (5) Secretary: A secretary of the commission shall be elected by the commission and shall be responsible for maintaining minutes of the regular meetings and a record of attendance of the commission members. The secretary shall also be responsible for filing reports with the City Clerk/City Council.
- (6) Attendance at meetings: Should a member fail to attend three consecutive regular meetings of the commission, and should there be no adequate excuse for such absence, the chair with the concurrence of a majority of the entire commission, shall recommend to the mayor that a vacancy be declared and the vacated position be filled.

(6) Committees: Sub-committees shall be established as needed by vote of the commission. Such sub-committees shall each comprise at least three members, at least one of who shall be a commission member, and who shall serve as the chairperson of the subcommittee and who shall report, either orally or in writing, the activities of the sub-committee to the commission at the regular meeting. Sub-committees may be assigned tasks such as fund-raising, grant-writing, structural analysis of the city hall, public relations, etc

Assistance of city officials, boards and employees.

The commission shall receive support from the executive office, community development, public works and any other city department, when requested, to achieve its stated goals. Further, the commission may request the services or assistance of any of the officials, boards and through the mayor, employees of the city at all reasonable times when the commission determines that it requires the assistance and advice of such officials, boards and employees in the performance of its duties.

Monthly Reports.

The City Hall Restoration Commission shall submit a monthly report to the mayor and the city council of its activities and progress.

Completion of the Project

Upon completion of the project the commission may be disbanded, upon approval by the city council and the mayor.

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

April 6, 2010

Mr. Peter Bent
Brown's Yacht Yard
139 East Main Street
Gloucester, MA 01930

Dear Peter:

I am pleased to reappoint you to a three year term on the **Waterways Board**. Your reappointment will be sent to the City Council for their meeting of April 13, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk
Mayor

cc: Mayor's Report to City Council
Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Peter Bent, 139 East Main Street, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you
to the WATERWAYS BOARD _____ of the City of
Gloucester, Massachusetts

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

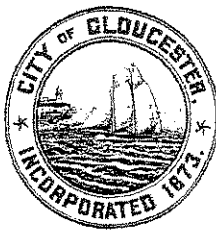
Respectfully,

N.B. You are required to be sworn in at the office of the City Clerk before acting
under this appointment.

Sworn in _____

By: _____

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

April 6, 2010

Mr. Arthur "Sooky" Sawyer
368 Concord Street
Gloucester, MA 01930

Dear Sooky:

I am pleased to reappoint you to a three year term on the **Waterways Board**. Your reappointment will be sent to the City Council for their meeting of April 13, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk
Mayor

cc: Mayor's Report to City Council
Enclosure
CAK/c

EFFECTIVE 2/14/2010

The City of Gloucester, Massachusetts

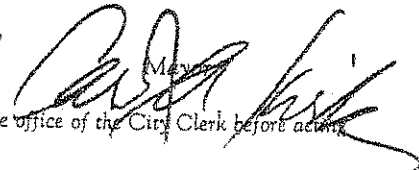
Dear Arthur Sawyer, 368 Concord Street, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you
to the WATERWAYS BOARD _____ of the City of

Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

Respectfully,


Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting
under this appointment.

Sworn in _____ By: _____

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

April 6, 2010

Mr. Vito Calomo
83 Holly Street
Gloucester, MA 01930

Dear Vito:

I am pleased to reappoint you to a three year term on the **Waterways Board**. Your reappointment will be sent to the City Council for their meeting of April 13, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk
Mayor

cc: Mayor's Report to City Council
Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

Dear Vito Calomo, 83 Holly Street, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you
to the WATERWAYS BOARD _____ of the City of
Gloucester, Massachusetts _____

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2013. (THREE YEAR TERM)

Respectfully,

N.B. You are required to be sworn in at the office of the City Clerk before acting
under this appointment.

Sworn in _____ By: _____

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

April 6, 2010

Mr. Anthony Gross
18 Nashua Avenue
Gloucester, MA 01930

Dear Tony:

I am pleased to reappoint you to a one year term on the **Waterways Board**. Your reappointment will be sent to the City Council for their meeting of April 13, 2010. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment, effective February 14, 2010, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card (*copy enclosed*) and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Carolyn A. Kirk
Mayor

cc: Mayor's Report to City Council
Enclosure
CAK/c

EFFECTIVE FEBRUARY 14, 2010

The City of Gloucester, Massachusetts

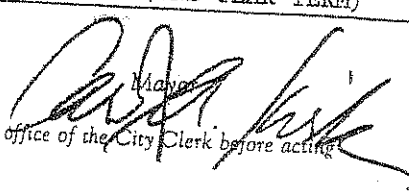
Dear Anthony Gross, 18 Nashua Avenue, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you
to the WATERWAYS BOARD

Gloucester, Massachusetts _____ of the City of

This is a 90 day temporary appointment. After City Council
approval, term to expire 2/14/2011. (ONE YEAR TERM)

Respectfully,


Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting
under this appointment.

Sworn in _____ By: _____

Chapter 10 WATERWAYS ADMINISTRATION*

***Editor's note**--Ord. No. 17-1993, adopted Dec. 14, 1993, amended former Ch. 10, Arts. I--III, relative to the harbor and related waters, in its entirety to read as herein set out. The substantive provisions of former Ch. 10 derived from Code 1970. Sections 4-3, 101/2-17--101/2-25, 101/2-27, 101/2-29, 12-8, 12-18--12-21, 16-14, 16-16; and ordinances of Dec. 6, 1977; Jan. 10, 1978; Nov. 4, 1979; Feb. 3, 1983; Oct. 28, 1986; Aug. 4, 1987; Dec. 22, 1987; July 19, 1988; and April 4, 1989.

Cross reference(s)--Marshlands, Ch. 12; shellfish, seaworms and eels, Ch. 20.

State law reference(s)--Waterways, M.G.L.A. c. 91; provisions relating to Gloucester harbor, M.G.L.A. c. 102, §§ 3, 4; harbors and harbormasters, M.G.L.A. c. 102, § 17 et seq.

ARTICLE I. MANAGEMENT**Sec. 10-1. Waterways board.**

The purposes of the waterways board is to provide a broad-based citizen management organization that guides the use and development of Gloucester's waterways and public waterfront facilities. The waterways board shall be the city body which establishes policies and regulations for Gloucester's waterways. It is intended that the board adopt clear, concise and fair policies and regulations that promote improved access to the water for all citizens, including commercial fishermen, business owners and recreational boaters. In cooperation with the harbormaster and other city staff, the board is intended to ensure that our waterways are well planned and maintained, utilized to the maximum extent possible, safe, and reflect positively upon the City of Gloucester.

(Ord. No. 17-1993, 12-14-93)

Sec. 10-2. Composition and term.

(a) *Composition.* The Gloucester Waterways Board shall consist of seven (7) citizens of Gloucester, appointed by the mayor and confirmed by the city council. The appointees shall include three (3) persons who are directly involved with the fishing industry, two (2) persons who are recreational boaters, and two (2) persons, at large, who need not be involved with any marine-related activity. The board shall observe Robert's Rules of Order, shall annually select a chairman from its membership and establish its rules of procedure. The board shall have non-voting advisory members, as set forth in section 10-4 herein.

(b) *Term.* The term of all members shall be three (3) years except that the initial terms shall be staggered so that the terms of no more than three (3) members shall terminate in any one year. If a member resigns or is removed for any reason before his or her term expires, the mayor shall appoint a replacement within one (1) month of the vacancy. Said appointment must be confirmed by the city council. Members of the waterways board and its standing committees shall be volunteers who are not compensated.

(Ord. No. 17-1993, 12-14-93)

Sec. 10-3. Authority and responsibilities.

The Gloucester Waterways Board is hereby empowered, and authorized to:

(a) Promote implementation of the City of Gloucester Harbor Plan, dated 1992, and, in cooperation with the appropriate city bodies, amend said plan from time-to-time as

circumstances warrant;

- (b) Establish policies, rules and regulations for the use of Gloucester's waterways and waterfront facilities, including but not limited to, mooring areas, public launch ramps, public landings, and public marinas;
- (c) Recommend to the city council fee schedules for moorings, launch ramps, slips at public marinas, and other waterfront public facilities and a schedule of fines for violation of waterways rules and regulations;
- (d) Oversee the operation and maintenance of all public launch ramps and related facilities, the public Lobster Marina at St. Peter's Square, and all other public marinas, landings, floats or access ramps;
- (e) Review and oversee the work programs, budget, staffing, training, effectiveness, management techniques and policies of the harbormaster's office and related city staff;
- (f) Work cooperatively with the harbormaster's office and related city staff on harbor management issues, enforcement of waterways rules and regulations and waterways development projects;
- (g) Review all waterfront development projects or zoning changes and report its findings and recommendations to the mayor, city council or other relevant board. The waterways board may require drawings, plans or other supporting documentation from project proponents for its review;
- (h) Act as the policy liaison between the City of Gloucester and the Army Corps of Engineers, U.S. Coast Guard, the State Department of Environmental Protection, the Massachusetts Office of Coastal Zone Management and other government agencies concerned with waterways;
- (i) Work with the harbormaster's office and related city staff to plan, design and undertake new projects such as dredging, mooring fields and access facilities;
- (j) Plan and encourage the development of signage and facilities for transient boaters and promote Gloucester as a well-equipped and hospitable port-of-call;
- (k) Work cooperatively with the harbormaster's office, police and fire departments, environmental police and other public safety agencies to ensure that Gloucester's waterways policies, rules and regulations and operating practices will protect the rights and property of waterways users and waterfront land owners, while maximizing public safety;
- (l) Delegate any of its responsibilities to a standing committee, the harbormaster or other staff person assigned by the mayor;
- (m) Investigate new sources of revenue for waterways management and development.

(Ord. No. 17-1993, 12-14-93)

Sec. 10-4. Standing committees.

- (a) *Designation.* There shall be three (3) advisory standing committees of the waterways board, appointed by the chairman; a waterways safety committee; a public facilities committee; and an operations and finance committee. The committees shall review, research, investigate and make recommendations on matters referred to them by majority vote of the full board. The committees shall send their reports and recommendations only to the full board which shall review them and take appropriate action. The harbormaster shall be an ex-officio member of each committee. Every member of the board except the chairman shall be on at least one

standing committee, and each committee shall elect its own chairman.

(b) *Waterways safety committee.* This committee may be referred any matter dealing with: enforcement of boating laws and regulations; other law enforcement activities including the need and nature of police patrols during various times of the year and during special waterfront events; fire prevention and suppression needs; hazardous materials, emergency medical services; hazards to navigation; rules and regulations regarding use of the city's waterways; city ordinances dealing with the waterways or waterfront; and any other matter deemed appropriate by the board. This committee shall consist of: two (2) members of the board; the police and fire chiefs or their designees; and a representative of Coast Guard Station--Gloucester.

(c) *Public facilities committee.* This committee may be referred any matter dealing with moorings; public launch ramps, including Dun Fudgin; public landings; public marinas, including the Lobster Marina at St. Peter's Square; signage; public access, including but not limited to, walkways to the water, access ramps and floats and dinghy floats, sewage pump-out facilities, waste oil recycling facilities; harbor master floats and offices; and any other matter deemed appropriate by the board. This committee shall consist of: two (2) members of the board; an advocate of public landings appointed by the mayor; the director of public works, or his designee; and a member of the tourist commission.

(d) *Operations and finance committee.* This committee may be referred any matter dealing with harbor planning, design, engineering or construction; budgets; intergovernmental relations; the harbor master's office, including but not limited to, staffing, training, vessels and equipment, work and education programs; fees and fines; and any other matter deemed appropriate by the board. This committee shall consist of: two (2) members of the board; a member of the fisheries commission and a member of the city council.

(Ord. No. 17-1993, 12-14-93)

Sec. 10-5. Relationship to the harbor master and city staff.

(a) The waterways board shall work cooperatively with the harbor master and other assigned city staff to implement the City of Gloucester Harbor Plan, as amended, and pursue the policies and goals of the board. In addition, the harbor master and the board shall work together closely to ensure that the harbor master's office is efficient, effective, and fair to all waterway users through review of work programs, plans operating procedures and budgets.

(b) The waterways board shall work cooperatively with the harbor master and other assigned city staff including police officers, such that the following duties are performed by the designated official or employee.

(1) *Harbor master:*

a. Operate, maintain, manage equipment and vessels assigned (harbor master boat).

b. Assign and oversee moorings.

c. Coordinate with and report to waterways board--Meetings, staff, grants, etc.

d. Operate and manage public launch ramps, landings, marinas and other public waterways facilities around the city.

e. Gather information and make recommendations relative to the harbor--Commissioner's line, Chapter 91, permits, CZM regulations and other waterways issues.

f. Promote Gloucester as a hospitable port of call--Provide information to visitors, provide water transport as directed by the mayor.

- g. Manage and maintain a harbormaster's office.
- h. Report to the mayor on administrative matters; report to board on policy matters.

(2) *Police department:*

- a. Enforce all Massachusetts Commonwealth laws while patrolling the city waterways.
- b. Operate, maintain and manage equipment and vessels assigned (police boat/fire boat).
- c. Investigate, prosecute criminal activity on waterways and waterfront in cooperation with other members of the Gloucester Police Department and other law enforcement agencies, USCG, etc.
- d. Make arrests on water.
- e. Report to the chief of police.
- f. Assist the fire department, US Coast Guard with fire prevention and suppression, law enforcement, hazardous materials investigations and emergency medical services.
- g. Check on lobster violations under the city ordinance and State Laws. Enforce MGL Chapter 130, Sections 31, 17, 18, 18a, 39, 41, 41a, 43, 44--Marine fisheries laws: Destruction of weir-fish trap; lobster and crab licenses; markings on buoys--exhibition of license; display of license numbers and buoy colors; hours of tending traps; taking of female lobsters with eggs; possession of short lobsters.
- h. Check properties on islands not accessible from land.

(3) *Joint duties:*

- a. Enforce waterways laws, ordinances and rules and regulations (MGL Chapter 40, Section 21D (Fines and Ticketing) and Gloucester Code section 1-15 and MGL Chapter 90B, Sections 1--19 (Motorboats and other vessels) and other enforcement per MGL Chapter 102, Sections 17--28 (Shipping and Seaman, Harbor and Harbormasters).

Police: Plus all other applicable city and state laws.

- b. Patrol city waterways.

Police: Enforce all Massachusetts laws.

- c. Respond to emergencies within scope, training and resources.
- d. Operate, maintain and manage equipment and vessels assigned (police boat/fire boat--police; harbormaster boat--harbormaster).
- e. Coordinate with other agencies and assist within scope, training and resources.
- f. Observe water quality, assist appropriate agencies.
- g. Assist in keeping navigation channels clear, keep harbor free of debris.

Harbormaster: Primary responsibility.

- h. Patrol major events to promote and protect public safety--Fiesta, 4th of

July, Schooner Races, etc.

Police: Other occasions as directed by chief of police.

- i. Issue citations on water.
- j. Enforce the BWI, make arrests and bring complaints to court.

(Ord. No. 17-1993, 12-14-93; Ord. No. 21-1995, § 1, 3-7-95)

Cross reference(s)--Police duties and joint duties concerning harbor management, § 17-1.

Secs. 10-6--10-19. Reserved.

ARTICLE II. ENFORCEMENT

Sec. 10-20. Harbormaster appointment, qualifications and authority.

((a) *Appointment.* In accordance with M.G.L.A. c. 102, § 19, the harbormaster shall be appointed annually by the mayor after joint interviews and consultation with the waterways board, and confirmed by the city council. Ord. 02-50 Deleted 11/12/2002) The mayor shall fix the compensation of the harbormaster after an annual performance review conducted by the board and the mayor or his designee. The harbormaster shall report to the mayor on administrative matters and to the waterways board on policy matters.

(a) *Appointment.* In accordance with M.G.L.A. c. 102, § 19, the harbormaster shall be appointed for a term of three (3) years by the mayor after joint interviews and consultation with the waterways board, and confirmed by the city council. (Ord. 02-50, 11/12/2002) The mayor shall fix the compensation of the harbormaster after an annual performance review conducted by the board and the mayor or his designee. The harbormaster shall report to the mayor on administrative matters and to the waterways board on policy matters.

(b) *Qualifications.* The harbormaster shall possess the following skills, knowledge or experience: small boat handling in heavy weather; navigation; rules of the road; waterways laws, rules and regulations and their enforcement; budget preparation; and staff management. Desirable skills or knowledge include water safety and life-saving; marine fire prevention and suppression; emergency medical care at the EMT level; waterfront construction techniques; the waterways permitting process; waterfront facilities management; water pollution control techniques and grant writing.

(c) *Authority.* The harbormaster shall have all authority set forth in: the Massachusetts General Laws, including but not limited to Chapters 102, 90B and 91; the Code of Massachusetts Regulations; applicable federal laws and regulations; and the City of Gloucester Code of Ordinances.

(Ord. No. 17-1993, 12-14-93)

Sec. 10-21. Fines.

The harbormaster and assistant harbormasters shall have the authority to enforce any section of this chapter by way of the ticketing procedures set forth in Massachusetts General Laws, c. 40, § 21D and Gloucester Code of Ordinances, Section 1-15. Each day of violation shall constitute a separate offense.

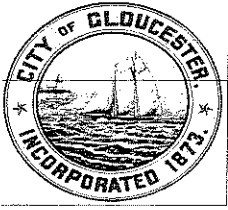
(Ord. No. 17-1993, 12-14-93)

Sec. 10-22. Responsibilities.

Sec. 22-289. Parking meter zones--On streets.

The following described streets or parts of streets in the city are hereby established as parking meter zones, with parking restrictions as specifically indicated for each such zone in accordance with section 22-211:

Location	Maximum Time	Fee
Bovnton Way	2 hours	
Dale Avenue	2 hours	
Harbor Loop	10 hours	
Manual F. Lewis Rd.	2 hours	
Pleasant Street	2 hours	
Railroad Avenue, 27-33, northeasterly side, 10 metered angle parking spaces (Ord. 03-39, 12/2/2003)		
School Street	2 hours	
Warren Street	2 hours	
Washington Street	2 hours	
Washington Street, easterly side from Main to Middle Streets		
Meters W1--W4	10 hours	
Meters W5--W10	2 hours	
Dale Avenue (meter #s 9, 9A, 10, 10A, 24, 25, 37, 38, 39)	[1 hour]	
Duncan Street	1 hour	
Main Street	2 hours	
Manual F. Lewis Road	1 hour	
Middle Street, two one-hour parking meters in front of the Y. M. C. A. Building	2 hours	
Middle Street, three one-hour parking meters, southerly side, starting 20 feet from its intersection with Hancock Street in an easterly direction	1 hour	
Middle Street, three (3) two- hour parking meters on the southerly side of Middle Street between Hancock and Center Streets	2 hour	
Pleasant Street, two parking meters in front of #36--#38 Pleasant Street	[1 hour]	
Porter Street	1 hour	
Rogers Street, both sides from its intersection with Washington Street to Manuel F. Lewis Road	Ten hours	
Warren Street, meter #1--8	[1 hour]	
Washington Street, two one- hour parking meters at 22--	1 hour	



CITY OF GLOUCESTER 2010 CITY COUNCIL ORDER

ORDER: #CC2010-022
COUNCILLOR: Jackie Hardy

DATE RECEIVED BY COUNCIL: 04/13/10
REFERRED TO: Ordinance & Administration
FOR COUNCIL VOTE:

Ordered that the City Council review code of ordinances section 2-44 concerning "Special Municipal employees" as that term is defined in MGLc.268A(the state conflict of interest law), to amend the ordinance to generally include or specifically to list all boards ,committees , and commissions to which persons are appointed under section 2-10 and section 3-3 of the City Charter.

Jackie Hardy
City Council President



CITY OF GLOUCESTER 2010 CITY COUNCIL ORDER

ORDER: #CC2010-023
COUNCILLOR: Bruce Tobey

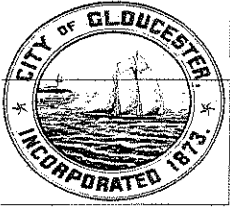
DATE RECEIVED BY COUNCIL: 04/13/10
REFERRED TO: O&A
FOR COUNCIL VOTE:

Ordered, that the Ordinances and Administration Committee consider and make a recommendation to the full council on the matter of

1. repealing existing requirements for parking meters on Main Street;
2. replacing those requirements with free-parking on Main Street with a two-hour limit; and
3. amending the Code of Ordinances by adding a provision similar to that which follows, applying only to the section of Main Street for which a free-parking with a two-hour limit is proposed above:

Overtime Parking and Shuffling or Relocating Vehicles to Avoid Penalties. When signs are erected in each block giving notice thereof, no person shall park a vehicle upon any of the streets or parts of the streets described in Section 22-289 for a longer period than so specified in that Section. No person shall relocate or move a vehicle in order to avoid a violation of the parking time limit. The following action shall be considered prima facie evidence of such prohibited conduct when observed by a law, or parking enforcement officer: when a person moves or relocates a vehicle which has been parked less than the posted time limit from a time limited parking space and then returns to the same parking space or moves to a parking space within 500 feet of that same parking space, as measured along the street, within five minutes of the time that the initial parking space was vacated. Such shuffling or relocating shall constitute overtime parking for the purposes of this section. Overtime parking is a violation of this ordinance, and shall be subject to the fines set forth in this Section.

Bruce Tobey
Councilor at Large



CITY OF GLOUCESTER 2010 CITY COUNCIL ORDER

ORDER: #CC2010-024
COUNCILLOR: Jackie Hardy

DATE RECEIVED BY COUNCIL: 04/27/10
REFERRED TO: O&A
FOR COUNCIL VOTE:

Ordered that the Ordinance and Administration Standing Committee of the City Council request from the Engineering Department of the DPW a copy of the City's official "layout of the road" at the intersection of Washington Street, Holly Street, Goose Cove Lane and Vine Street.

Further, that Ordinance and Administration use said official layout of the roads to determine (with the assistance of DPW, Engineering and the Traffic Commission), whether or not the existing traffic flows, lines of sight, signage, cross walks, parking delineation and placement of the existing traffic island and other temporary structures should be reevaluated so as to create safer travel on these ways to which the public has access as invitees or licensees.

Further, that if there is no existing official layout of the roads above, that the Ordinance and Administration Committee request #1... that the City prepare a RFP for the surveying and engineering study necessary to create an official layout as requested above #2... that the City prepare a RFP to commission a traffic study of said intersection(s), #3... that, whenever possible, the City engage - by notice on the City Website - any and all abutters, neighbors, citizens or other interested parties in the "process" in an effort to make this intersection safe.

Jackie Hardy
City Councillor
Ward 4



CITY OF GLOUCESTER 2010 CITY COUNCIL ORDER

ORDER: #CC2010-025
COUNCILLOR: Jackie Hardy

DATE RECEIVED BY COUNCIL: 04/27/10
REFERRED TO: O&A
FOR COUNCIL VOTE:

Ordered that Ordinance and Administration, along with the Traffic Commission review the parking situation on and along the entire length of High Street as well as all side, connecting streets thereto so as to address the neighborhood complaints related to parking.

Neighborhood suggestions include but are not limited to the consideration of the following:

Ordered that Sec 22-270.1 (Resident Sticker parking only) of the GCO be amended by ADDING:

High Street, both sides, from its intersection with Washington Street in a southerly direction to the point at which it intersects with Tucker Street.

High Street Place, both sides, from its intersection with High Street, beginning at its intersection with High Street for its entire length in a southerly direction.

Young Avenue, both sides, from its intersection with Washington Street, beginning at its intersection with Washington Street for its entire length in a southerly direction to the point at which it intersects with High Street.

Day Avenue, both sides, beginning at its intersection with High Street for its entire length in a southerly direction.

Tucker Street, both sides, from its intersection with Washington Street, beginning at its intersection with Washington Street for its entire length in a southerly direction to the point at which it intersects with High Street.

Ordered that Sec 22-291(Tow Away Zones) of the GCO be amended by ADDING:

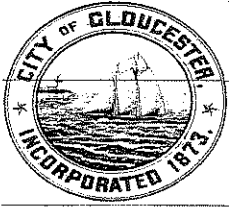
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Day Avenue, both sides, beginning at its intersection with High Street for its entire length in a southerly direction.

Tucker Street, both sides, from its intersection with Washington Street, beginning at its intersection with Washington Street for its entire length in a southerly direction to the point at which it intersects with High Street.



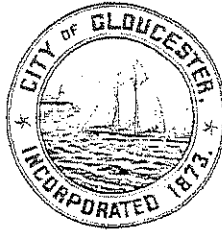
CITY OF GLOUCESTER 2010 CITY COUNCIL ORDER

ORDER: #CC2010-026
COUNCILLOR: Jackie Hardy

DATE RECEIVED BY COUNCIL: 04/27/10
REFERRED TO: O&A
FOR COUNCIL VOTE:

ORDERED that the City Council adopt an ordinance under Code of Ordinances, Chap. 2 Art. V sec.2-400 requiring every city board, commission, and committee to designate a member to be responsible for creating and **maintaining** a web page as part of the City web site for their board, commission, or committee which at a minimum shall include electronic posting of all **agendas** and all adopted minutes.

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CITY OF GLOUCESTER
OFFICE OF THE MAYOR

Memorandum

To: City Council President Hardy and Members of the Gloucester City Council

From: Jim Duggan, Chief Administrative Officer 

Cc: Suzanne Egan, General Counsel
Nancy Papows, Principal Assessor
Jeff Towne, CFO
Mike Hale, DPW Director
Mike Wells, IT Director
Barry Boyce, Acting City Auditor

Date: April 15, 2010

Re: Debt Exclusion

As you know over the last several weeks, appropriate city staff has been meeting weekly with the Chairs of the Ordinance & Administration and Budget & Finance subcommittees, to discuss whether a stormwater utility rate structure should be established. The Team concluded that because the equity of any proposal is the most challenging aspect of the policy, further discussions are warranted. However, the Team did conclude that it would be prudent at this time to propose a debt exclusion for all CSO related debt to the full City Council.

Under Massachusetts General Laws, Chapter 59 §21C(n) permits cities and towns to transfer the recovery of water and sewer debt service costs from user charges to the property tax levy. Municipalities are able to raise the additional taxes outside the levy limit under Proposition 2 ½ and reduce the water and sewer charges by the amount of the debt being transferred to the levy.

Currently our sewer rate is \$12.90 per thousand gallons, which includes that 20% of the rate is CSO related debt. If the city were to stay in accordance with past practices, in FY 2011 the sewer rate would increase to approximately \$13.90 (24% of the rate is CSO related debt) and in FY 2012, the rate could increase as high as approximately \$15.00 (28% of the rate is CSO related debt). Alternatively, if a debt exclusion was authorized, the current sewer rate would decrease to approximately \$10.60. The attached chart will illustrate how a debt exclusion will influence the residential and commercial, industrial and personal (CIP) property tax rates.

I request that the issue be referred to the appropriate sub-committees for review and recommendation to the full City Council.

Chief Michael W. Lane

**Gloucester Police
Department**

MEMO

RECEIVED

APR 1 2010

Mayor's Office

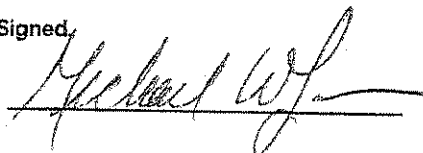
To: Jim Duggan, Chief Administrative Officer
From: Chief Michael W. Lane
CC:
Date: April 2, 2010
Re: Request City Ordinance change to Sec1-15.

Mr. Duggan,

The Gloucester Police Dept has been working closely with Ms Rose LoPiccolo, who is the City Recycling Coordinator. Ms LoPiccolo is responsible for locating and documenting litter violations on behalf of the city. However, pursuant to current City Ordinance, she is not authorized to be an enforcing officer with authority to issue non-criminal city violations for violation of City Ordinance Chapter 9, Section 9-8, littering.

I am requesting the the Ordinance and Administration Committee review this matter and recommend to the full City Council that Section 1-15 be amended by adding "Recycling Coordinator" to the list of Enforcing Persons under Section 1-15, sub paragraph entitled Chapter 9 (Trash, Recycling, and Litter) section 9-8 (littering prohibited). This minor change would allow police, board of health members or agents, and the Recycling Coordinator to issue civil violations relative to littering.

Signed,



Chief Michael W. Lane

Sec. 1-14. General penalty for violation of Code and ordinances.

(a) Any person violating the provisions of any section of this Code or of any ordinance of the city, where no specific penalty is stated or none is prescribed by state law, shall, upon conviction, be fined not more than three hundred dollars (\$300.00) for each offense.

(b) All fines and penalties for violations of this Code or any other ordinance of the city, or any order of the city council shall, when recovered, inure to the use of the city and be paid into the city treasury, unless otherwise directed by law or ordinance.

(Code 1970, §§ 1-8, 1-9)

State law reference(s)--Municipal authority to prescribe penalty for ordinance violations, M.G.L.A. c. 40, § 21.

Sec. 1-15. Penalty for violation of certain specified sections of Code.

Violation of the following Code sections may be enforced noncriminally by way of the ticketing procedures set forth in M.G.L.A. c. 40, § 21D. For the purpose of this section the specific penalty which is to apply for a violation of each such section shall be as listed below and the municipal officers or employees whose titles are listed under such section shall be deemed to be enforcing officers for each such section:

Chapter 4, section 4-21 (Dog Fouling):

Penalty: First offense in a calendar year, twenty-five dollars (\$25.00); second and subsequent offenses in a calendar year, fifty dollars (\$50.00).

The enforcement officer for violation is the animal control officer.

Chapter 5, Article II, section 5-19, (inspections of buildings erected on pilings):

Each day a violation continues will be treated as a separate offense. A violation of this ordinance shall be three hundred dollars (\$300.00) per day and/or condemnation of the building.

Chapter 6, section 6-4 (visitors conduct), but excluding section 6-4(e)(11):

Penalties: Penalties shall be set at a minimum of fifty dollars (\$50.00) for the first violation with further violations to be up to three hundred dollars (\$300.00).

Enforcing persons: Board of health, department of public works, police department.

Chapter 6, section 6-4(e)(11) (animals/public cemeteries):

Penalties in accordance with Chapter 4 "Animals".

Enforcing persons: Animal control officer, police department.

Chapter 9, Article I, sections 9-1 and 9-9 (garbage and litter):

Penalty: Twenty dollars (\$20.00) for each of the first three (3) offenses; one hundred dollars (\$100.00) thereafter.

Enforcing persons: Police officers, parking control officers, health agents, health inspector, building inspector and building inspector's assistant and school department's director of operations [and school] facilities supervisor.

Chapter 9 (Trash, Recycling and Litter), section 9-8 (littering prohibited):

Upon finding violation of section 9-8, the district court shall fine the violator according to the severity of the violation of up to three hundred dollars (\$300.00) for each offense.

Enforcing persons: Police officers, board of health members or their agents.

Penalty: One hundred dollars (\$100.00) per violation. Each day of violation shall constitute a separate offense.

Enforcing persons: Harbormaster, assistant harbormasters, police officers.

Chapter 10, Sec. 10-53 "Use of public ramp at DunFudgin"

Penalty: Twenty-five dollars (\$25.00) per violation. Each day of violation shall constitute a separate offense.

Enforcing persons: Harbormaster, assistant harbormasters, police officers. (Ord. 03-24, 6/10/2003)

Chapter 14, Article I, Sec. 14-14 (Smoking on School Grounds) and

Board of Health Regulations prohibiting involuntary exposure to tobacco products to minors. (Ord. 03-24, 6/10/2003)

Penalty: twenty-five dollars (\$25.) for the first offense; fifty dollars (\$50.) for the second offense; and one hundred dollars (\$100.) for the third and subsequent offenses. (Ord. 02-46 10/22/2002)

Chapter 14, Article II, sections 14-26 through 14-33 (alarm systems):

Penalty: Section 14-27(a), (b), (c), (d), or (e) or 14-29—Twenty-five dollars (\$25.00)

Section 14-30(b)—Twenty-five dollars (\$25.00) for the fourth false alarm [and fifty dollars (\$50.00) for each false alarm] thereafter. These penalties are for a single-alarm system. The penalties apply to multiple-alarm systems after the number of alarms is greater than three (3) times the number of systems. After thirty (30) days of the date of the assessment(s), penalties unpaid will be assessed a ten dollar (\$10.00) per day delinquency surcharge.

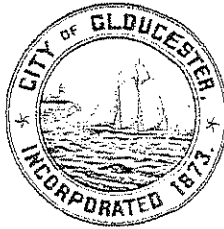
Enforcing persons: Fire or police personnel, designated by the fire chief or police-chief.

Chapter 21, Article 1, section 21-4(c) (house numbers):

Penalty: Written warning notice on first offense. Twenty dollars (\$20.00) for second offense, and fifty dollars (\$50.00) for each offense thereafter.

Enforcing persons: The enforcement officer for violation of sectio

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CITY OF GLOUCESTER
OFFICE OF THE MAYOR

Memorandum

To: City Council President Hardy and Members of the Gloucester City Council

From: Jim Duggan, Chief Administrative Officer 

Cc: Carolyn A. Kirk, Mayor
Jeff Towne, CFO

Date: April 15, 2010

Re: **Reclassification of Principal Assessor Position**

With the support of the City Council, sound investments have been made in the financial divisions of the Administration over the past two years. Through the years, the City Council and Administration have echoed that the Principal Assessor has consistently demonstrated a thorough knowledge of the laws and procedures dealing with property taxation and that all properties are treated uniformly.

Currently the Principal Assessor's position is a Grade M8, which translates into a salary range of \$63,798.84 to \$75,473.37. The Administration is proposing that the Principal Assessor position be upgraded to an M9, which translates into a salary range of \$72,732.87 to \$86,051.70. An analysis from similarly sized communities in Massachusetts has determined that the average salary for a Principal Assessor is \$78,155.

Please forward this request to the appropriate sub-committee for review and recommendation to the full city council.

Thank you

Like Communities Comparison

Community	Population	Principal Assessor
Amherst	34,874	\$69,783
Andover	32,000	\$84,627
Chelmsford	33,858	\$72,292
Chelsea	35,080	\$68,014
Danvers	25,000	\$91,207
Dracut	28,414	\$65,284
Falmouth	31,199	\$82,222
Franklin	32,006	\$77,190
Lexington	30,355	\$80,456
Melrose	27,000	\$76,152
Milford	28,000	\$68,839
Milton	26,000	\$80,320
Natick	32,190	\$79,860
Needham	30,457	\$80,782
North Andover	30,145	\$74,007
North Attleboro	27,966	\$75,294
Norwood	28,271	\$86,398
Randolph	32,500	\$70,861
Shrewsbury	33,000	\$80,367
Tewksbury	30,762	\$77,468
Watertown	32,486	\$94,567
Wellesley	26,613	\$88,800
West Springfield	27,899	\$72,782
Average	30,264	\$78,155